

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:16cr44HSO-RHW-1

YUNIER HURTADO-DE ARMAS

UNOPPOSED MOTION TO STRIKE INDICTMENT ALLEGATION

Comes now the United States of America, hereinafter the “Government” and with the consent of the Defendant, moves this Court to strike the following language alleged in the indictment herein for the purpose of a fair resolution of the case and in the interest of justice as to this defendant, Yunier Hurtado-De Armas, to wit:

“for the purpose of commercial advantage and private financial gain” ...

In violation of Section 1324(a)(1)(A)(ii) and (B)(i), Title 8, United States Code

Count 1 of the indictment should read:

That on or about April 27, 2016, in Jackson County in the Southern Division of the Southern District of Mississippi and elsewhere, the defendant, **YUNIER HURTADO-DE ARMAS**, knowing and in reckless disregard of the fact that an alien, namely: Mario Robert Gutierrez-Contreras, had come to, entered, and remained in the United States in violation of law, did transport and move said alien within the United States by means of transportation, namely: a motor vehicle, in furtherance of such violation of law,

In violation of Section 1324(a)(1)(A)(ii) and (B)(ii), Title 8, United States Code.

This motion to strike is contingent on the defendant entering into a plea agreement with the Government and entering a guilty plea to Count 1 of the indictment as amended by the deleted language and penalty.

WHEREFORE, the Government moves the Court strike from the indictment the above language and corresponding penalty.

This 15<sup>th</sup> day of June, 2016.

Respectfully submitted,  
GREGORY K. DAVIS  
UNITED STATES ATTORNEY  
s/ *Annette Williams*  
ANNETTE WILLIAMS  
Assistant U.S. Attorney  
1575 20<sup>th</sup> Avenue  
Gulfport, Mississippi 39501  
Telephone No.: 228/563-1560  
Facsimile No.: 228/563-1571  
Miss. Bar No.: 9641  
E-mail Address: [Annette.Williams2@usdoj.gov](mailto:Annette.Williams2@usdoj.gov)

CERTIFICATE OF SERVICE

I, ANNETTE WILLIAMS, Assistant United States Attorney, hereby certify that on June 15, 2016, I electronically filed the foregoing Unopposed Motion to Strike with the Clerk of the Court using the ECF system which sent notification of such filing to all parties of record.

s/ *Annette Williams*  
Assistant United States Attorney